

231 U.S. PTO  
07/14/03

Patent  
DALTON-11

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: DALTON-11  
Inventor: WALTERS, Roy, J.  
Prior Application Information:  
Serial No. 10/113,665  
Examiner: G. Nguyen  
Art Unit: 3723

Mail Stop: Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

FILING UNDER 37 CFR § 1.53(b)

This is a request for filing for a

☒ continuation ☐ divisional ☐ continuation-in-part (CIP)

application under 37 CFR § 1.53(b) of pending prior application Serial No. 10/113,665, filed on March 28, 2002, which is a continuation of Serial No. 09/771,167, filed on January 26, 2001, which issued as U.S. Patent No. 6,379,471, on April 30, 2002, which is a continuation of prior application Serial No. 09/229,471, filed on January 13, 1999, which issued as U.S. Patent No. 6,180,588, on January 30, 2001, which is a divisional of U.S. Patent Application Serial No. 08/861,403, filed on May 21, 1997, which issued as U.S. Patent No. 5,908,350, on June 1, 1999, which is a continuation-in-part of provisional application U.S. No. 60/018,980, filed on June 4, 1996, by:

Roy J. Walters entitled:

METHOD OF CLEANING TILE GROUT

For CONTINUATION or DIVISION APPS only: The entire disclosure of the prior application from which an oath or declaration is supplied, is considered a part of the disclosure of the accompanying continuation application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

CERTIFICATE OF MAILING  
(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to Mail Stop: Patent Application, the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Kimberly N. Lane  
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*Kimberly N. Lane*  
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17858 U.S. PTO  
10/618984  
07/14/03

# **I. APPLICATION ELEMENTS ENCLOSED**

6 Page(s) of Written Description  
3 Page(s) of Claims  
1 Page(s) of Abstract  
2 Sheet(s) of Drawings ☒ formal ☐ informal  
2 Page(s) of ☐ Declaration or ☒ Declaration and Power of Attorney  
☒ Copy from prior application [37 CFR §1.63(d)]  
☐ Newly executed

Other:

- ☐ Assignment papers (cover sheet and documents(s))  
☒ An Information Disclosure Statement, PTO 1449, ☐ with copies of cited items.  
☒ Revocation and Grant of Power of Attorney  
☒ Preliminary Amendment

## **II. FEE CALCULATION**

☒ Applicant claims small entity status under 37 CFR 1.27.

<b>BASIC FILING FEE:</b>						750.00
Total Claims	13	-	20	=	x \$18.00	\$0.00
Independent Claims	1	-	3	=	x \$84.00	\$0.00
Multiple Dependent Claims	\$280.00	(if applicable)			<input type="checkbox"/>	\$0.00
<b>TOTAL OF ABOVE CALCULATIONS</b>						\$750.00
Reduction by 1/2 for Filing by Small Entity.						<input checked="" type="checkbox"/> \$375.00
Misc. Filing Fees (Recordation of Assignment)						\$0.00
Petition to Make Special						\$375.00
<b>TOTAL FEES DUE HERewith</b>						\$375.00

## **III. PRIORITY - 35 USC § 119**

- ☒ Priority of application Serial No. 60/018,980, filed on June 4, 1996, in the U.S. is claimed under 35 USC § 119.  
☐ The certified copy has been filed in prior U.S. application Serial No. \_\_\_\_\_ on \_\_\_\_\_.  
☐ The certified copy will follow.

**IV. AMENDMENTS**

- ☐ Cancel in this application original Claims 1-19 before calculating the filing fee. (At least one original independent claim must be retained for filing purposes if no new claims are added in a preliminary amendment.)
- ☒ A Preliminary Amendment is enclosed. (Claims added by Amendment must be numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

**V. RELATE BACK - 35 USC § 120**

- ☐ Relate back information included in preliminary amendment or specification.
- ☒ With respect to the prior co-pending U.S. application from which this application claims benefit under 35 USC § 120, the inventor(s) in this application is (are) [37 CFR 1.53(b)(1)]:
- ☒ the same.
- ☐ less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted [see 37 CFR §§1.33(b) AND 1.63(d)(2)]:

**VI. METHOD OF PAYMENT OF FEES**

- ☒ Attached is a check in the amount of \$375.00.
- ☐ Charge Procopio, Cory, Hargreaves & Savitch's Deposit Account No. 50-2075 in the amount of \$\_\_\_\_\_.
- ☐ Not attached. No filing fee is submitted. [This and the surcharge required by 37 CFR § 1.16(e) can be paid subsequently.]

**VII. AUTHORIZATION TO CHARGE ADDITIONAL FEES**

The Commissioner is hereby authorized to credit Procopio, Cory, Hargreaves & Savitch's Deposit Account No. 50-2075 for any over payment of fees and to charge the following additional fees by this paper and during the entire pendency of this application to Deposit Account No. 50-2075:

- ☒ 37 CFR § 1.16 (Filing fees and excess claims fees)
- ☒ 37 CFR § 1.17 (Application processing fees)
- ☐ 37 CFR § 1.21 (Assignment recordation fees)

**VIII. POWER OF ATTORNEY & CORRESPONDENCE ADDRESS**

- ☐ The power appears in the original papers in the prior application.
- ☐ The power does not appear in the original papers, but was filed on \_\_\_\_\_ in prior application Serial No. \_\_\_\_\_.
- ☒ A copy of the revocation and grant of power as submitted in parent application serial number 10/113,665 is attached.

Please send all correspondence to Customer Number 27189:



PROCOPIO, CORY, HARGREAVES  
& SAVITCH  
530 B Street, Suite 2100  
San Diego, CA 92101-4469  
(619) 238-1900

Please direct all inquiries to Stephen C. Beuerle, at the above Customer Number.

**IX. MAINTENANCE OF CO-PENDENCY OF PRIOR APPLICATION**

- ☐ A petition, fee and response has been filed to extend the term in the pending **prior** application until \_\_\_\_\_. A copy of the petition for extension of time in the **prior** application is attached.
- ☐ A conditional petition for extension of time is being filed in the pending **prior** application. A copy of the conditional petition for extension of time in the **prior** application is attached.



**X. ABANDONMENT OF PRIOR APPLICATION**

- ☐ Please abandon the prior application at a time while the prior application is pending or when the petition for extension of time or to revive in that application is granted and when this application is granted a filing date so as to make this application co-pending with said prior application. At the same time, please add the words "now abandoned" to the amendment of the specification set forth in Item V above.

Respectfully submitted,

PROCOPIO, CORY HARGREAVES  
& SAVITCH LLP

Dated: July 14, 2003

By: 

Stephen C. Beuerle  
Reg. No. 38,380

Assignments recorded in PTO on 02 MAR 1997, Reel 008752, Frame 0183;  
07 MAR 2000, Reel 010960, Frame 0156;  
18 JUNE 2002, Reel 01300, Frame 0178